

UNITED STATES DISTRICT COURT

DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA )

)

V. )

CR-05-30002-MAP

)

(1) FRANK DEPERGOLA, and )

(2) ARMANDO BOTTA, )

GOVERNMENT'S REQUEST FOR VOIR DIRE QUESTIONS

The United States of America submits the attached requested voir dire questions pursuant to F.R.Crim. P. 24(a).

1. Do you have difficulty in reading or understanding the English language?

( ) Yes ( ) No

2. A portion of the evidence in this case will consist of tape recordings of conversations some of which will have background noise and interference; do you have any problem with your hearing that would interfere with your ability to listen to this evidence?

( ) Yes ( ) No

If yes, please explain:\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

3. In investigating this case, after obtaining the consent of one of the parties to the conversation, the government used hidden audio recording devices, (sometimes called "body wires"), and hidden video recording equipment. Would the

fact that the government used secret recording devices, for a period of months, interfere with your ability to give fair consideration to tape-recorded evidence obtained by such means when the consensual video recordings and "body wires" were authorized by a federal law?

(    ) Yes    (    ) No

If yes, please explain:\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Respectfully submitted,

MICHAEL J. SULLIVAN  
United States Attorney

By:    /s/    Todd E. Newhouse

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TODD E. NEWHOUSE  
Assistant U.S. Attorney

CERTIFICATE OF SERVICE

Hampden,    ss.

Springfield, Massachusetts  
June 2, 2006

I hereby certify that this document(s) filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants.

/s/ Todd E. Newhouse

TODD E. NEWHOUSE  
Assistant U.S. Attorney